

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA _____	Case No. 1:04-cr-160
)
v.)
)
REJON TAYLOR)
SIR JACK MATTHEWS, and)
JOEY MONTREZ MARSHALL)
)
Defendants _____)

NOTICE AND RESPONSE TO THE CHIEF JUSTICE’S ORDER
RELATIVE TO THE DEFENDANT’S BUDGET FOR INVESTIGATOR AND
OTHER NECESSARY EXPERTS AND EXPENSES

Comes William H. Ortwein and Howell G. Clements, court-appointed attorneys for Rejon Taylor, and file this notice and response to the Order entered by the Chief Justice of the Sixth Circuit which authorized only 2/3's of the budget request.

After much discussion and consultation with the Federal Death Penalty Resource Counsel’s attorneys, even though it is very questionable that counsel will be able to provide effective assistance as required by the Constitution, and to live up to the ABA Standards of Representation in capital cases, counsel will proceed in an attempt to do so at this time.

However, it should be noted that William H. Ortwein, Attorney, has been lead counsel in 11 capital cases in the State of Tennessee, and that Howell G. Clements, second chair counsel, has been counsel in 6 capital cases in the State of Tennessee, and that lead investigator, Roy Cooper, has been involved in the defense of several capital cases in the State of Georgia, and that they believe that due to their experience, they are very knowledgeable in the assistance necessary to provide the required standard of assistance necessary to represent the accused. Further, it is their belief that only defense counsel who has an intimate knowledge of the facts and circumstances

surrounding a case can be the judge as to what assistance is necessary.

Due to the action of the Chief Justice of the Sixth Circuit, it will be necessary for counsel to perform at a higher rate of pay more of the tasks that would have been performed by administrative personnel at a lower rate of expense to the United States.

While counsel will attempt to proceed under these limitations, it may be necessary for counsel to ask for additional funds in the future prior to the critical stage of presentation to the United States Attorney for the Eastern District of Tennessee, and a Committee appointed by the Attorney General of the United States, due to the actions of the Chief Justice of the Sixth Circuit Court of Appeals.

Respectfully Submitted,

Ortwein & Ortwein, P.C.

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